



**CITY OF SOMERVILLE, MASSACHUSETTS**  
**MAYOR'S OFFICE OF STRATEGIC PLANNING & COMMUNITY DEVELOPMENT**  
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**ZONING BOARD OF APPEALS AGENDA**

**Council Chambers, 2<sup>nd</sup> floor of City Hall, 93 Highland Avenue, Somerville MA**  
**Wednesday, October 2, 2019**  
**6:00 P.M.**

**Previously Opened Cases Continued to a Future Date**

<b><u>23 Rush Street (ZBA 2019-82)</u></b>	
Applicant:	Electra Realty Corporation c/o Kevin Jackson
Property Owner:	Electra Realty Corporation c/o Kevin Jackson
Agent:	N/A
Legal Notice:	Applicant and Owner, Electra Realty Corporation c/o Kevin Jackson, seeks a special permit under SZO §4.5.3 to expand the nonconforming use (carpenters shop) and under §4.4.1 to alter the nonconforming structure by constructing two additional stories. A Variance under §5.5 and §8.5 is also required for exceeding the maximum floor area ratio (FAR). Parking relief under Article 9 is also required. RB Zone. Ward 1.
Date(s) of Hearing(s):	9/18
Staff Recommendation:	Denial
ZBA Action:	Voted on September 18, 2019 to continue the application to October 16, 2019.
Current Status:	Voted on September 18, 2019 to continue the application to October 16, 2019.

**Previously Opened Cases to Request a Continuance**

<b>21 Eastman Road (ZBA 2019-02)</b>	
Applicant:	F. Michael Byrnes
Property Owner:	F. Michael Byrnes
Agent:	Adam Dash, Esq.
Legal Notice:	Applicant and Owner, F. Michael Byrnes, seeks a special permit under the slope protection ordinance (agenda item 207122 ordained by the City Council on November 20, 2018) to perform necessary site work on a lot with a slope greater than 25% to construct a two-family dwelling and a variance for building height under SZO §5.5 and §8.5. RA Zone. Ward 5.
Date(s) of Hearing(s):	9/18, 10/2
Staff Recommendation:	Conditional approval
ZBA Action:	Voted on September 18, 2019 to continue the application to October 2, 2019.
Current Status:	Staff anticipates the applicant to request to continue the application to October 16, 2019.

<b>169 Tremont St: (ZBA 2019-17)</b>	
Applicant:	Santino Ferrante
Property Owner:	Tremont 2000, LLC
Agent:	N/A
Legal Notice:	Applicant. Santino Ferrante, and Owner, Tremont 2000, LLC), seek Special Permits under §4.4.1 of the SZO to enclose rear porches within the right side yard setback. RB zone. Ward 2.
Date(s) of Hearing(s):	4/3, 4/17, 5/1, 5/15, 6/5, 6/19, 7/17, 8/7, 8/21, 9/4, 9/18, 10/2
Staff Recommendation:	None at this time.
ZBA Action:	Voted on September 18, 2019 to continue the application to October 2, 2019.
Current Status:	Staff anticipates the applicant to request to continue the application to October 16, 2019.

<b>74 Winslow Avenue: (ZBA 2019-11)</b>	
Applicant:	Jamie Maguire & Michael Hovanec
Property Owner:	Jamie Maguire & Michael Hovanec
Agent:	N/A
Legal Notice:	Applicants, Jamie Maguire & Michael Hovanec, seek special permits under §4.4.1 of the SZO to reconstruct a deck within the rear and right side yard setbacks. RA zone. Ward 6.
Date(s) of Hearing(s):	4/3, 4/17, 5/1, 5/15, 6/5, 6/19, 7/17, 8/7, 8/21, 9/4, 9/18, 10/2
Staff Recommendation:	None at this time.
ZBA Action:	Voted on September 18, 2019 to continue the application to October 2, 2019.
Current Status:	Staff anticipates the applicant to request to continue the application to October 16, 2019.



<b>14 Carlton Street (ZBA 2019-83)</b>	
Applicant:	North America Development
Property Owner:	Louis M. Carcon & Yvrose Merzeus
Agent:	N/A
Legal Notice:	Applicant, North America Development, and Owners, Louis M. Carcon & Yvrose Merzeus, seek Special Permits under §4.4.1 of the SZO to significantly alter a non-conforming property by creating an upward extension of the non-conforming front and left side yard setbacks, and increasing the GFA by more than 25%. Parking relief under Article 9. RC zone. Ward 2.
Date(s) of Hearing(s):	9/4, 9/18, 10/2
Staff Recommendation:	None at this time.
ZBA Action:	Voted on September 18, 2019 to continue the application to October 2, 2019.
Current Status:	Staff anticipates the applicant to request to continue the application to October 16, 2019.

<b>87 Jaques Street (ZBA 2019-82)</b>	
Applicant:	North America Development
Property Owner:	Nelia DaCova-Pissarra
Agent:	N/A
Legal Notice:	Applicant, North America Development, and Owner, Nelia DaCova-Pissarra, Trustee of the DaCova Family Trust, seek a special permit with site plan review under SZO §7.2 to construct a second principal structure on the lot and a special permit under SZO §9.13 for parking relief to add a third unit to the site. A Variance under SZO §5.5 and §8.5 is also required for a side yard setback violation. RB Zone. Ward 4.
Date(s) of Hearing(s):	9/18, 10/2
Staff Recommendation:	None at this time.
ZBA Action:	Voted on September 18, 2019 to continue the application to October 2, 2019.
Current Status:	The Applicant has submitted a written request to continue the case to October 16, 2019.

<b>14 Farragut Avenue (ZBA 2019-81)</b>	
Applicant:	14 Farragut Avenue, LLC
Property Owner:	14 Farragut Avenue, LLC
Agent:	Adam Dash, Esq.
Legal Notice:	Applicant and Owner, 14 Farragut Avenue, LLC, seeks a special permit under SZO §4.4.1 to alter a nonconforming structure by constructing a two-story addition within the left side yard setback and greater than 25% of the existing gross floor area to add a third unit to the structure. A special permit for parking relief under SZO 9.13 is also being requested. RB Zone. Ward 7.
Date(s) of Hearing(s):	9/18, 10/2
Staff Recommendation:	None at this time.
ZBA Action:	Voted on September 18, 2019 to continue the application to October 2, 2019.
Current Status:	Staff anticipates the applicant to request to continue the application to October 16, 2019.



<b>8 Sycamore Street (ZBA 2019-61)</b>	
Applicant:	Creative Property Solutions, LLC
Property Owner:	Eight Sycamore Trust
Agent:	Richard G. DiGirolamo, Esq.
Legal Notice:	Applicant, Creative Property Solutions, LLC, and Owner, Eight Sycamore Trust, seek Special Permits under §4.4.1 of the SZO to alter a non-conforming property including increasing the GFA by more than 25%. Parking relief under Article 9 for number of spaces and providing compact spaces. RC zone. Ward 4.
Date(s) of Hearing(s):	9/18, 10/2
Staff Recommendation:	None at this time.
ZBA Action:	Voted on September 18, 2019 to continue the application to October 2, 2019.
Current Status:	Staff anticipates the applicant to request to continue the application to October 16, 2019.

<b>21 Laurel Street (ZBA 2019-91)</b>	
Applicant:	Adam Panken
Property Owner:	Adam Panken
Agent:	N/A
Legal Notice:	Applicant and Owner, Adam Panken, seeks special permits under §4.4.1 of the SZO to alter a non-conforming property including constructing a left elevation dormer and altering the rear portion of the structure within the non-conforming rear yard setback. RB zone. Ward 2.
Date(s) of Hearing(s):	9/18, 10/2
Staff Recommendation:	None at this time.
ZBA Action:	Voted on September 18, 2019 to continue the application to October 2, 2019.
Current Status:	Staff anticipates the applicant to request to continue the application to October 16, 2019.

<b>48 Elm Street (ZBA 2019-79)</b>	
Applicant:	Balany Real Estate Group, LLC
Property Owner:	Balany Real Estate Group, LLC
Agent:	Richard G. DiGirolamo, Esq.
Legal Notice:	Applicants and Owners, Balany Real Estate Group, LLC, seek special permits under §4.4.1 of the SZO to alter a non-conforming property by constructing dormers within the right side yard setback, and the upward extension of the non-conforming right side yard setback through the construction of a second story at the rear of the building. Parking relief under Article 9. RB zone. Ward 6.
Date(s) of Hearing(s):	9/4, 9/18, 10/2
Staff Recommendation:	Conditional approval
ZBA Action:	Voted on September 18, 2019 to continue the application to October 2, 2019.
Current Status:	Staff anticipates the applicant to request to continue the application to October 16, 2019.



<b>10 Oak Street (ZBA 2018-10-R1-6/19)</b>	
Applicant:	10 Oak Street, LLC
Property Owner:	10 Oak Street, LLC
Agent:	Richard G. DiGirolamo, Esq.
Legal Notice:	Applicants and Owners, 10 Oak Street, LLC, under §5.3.8 of the SZO, seek revisions to a previously-granted special permit. RC zone. Ward 2.
Date(s) of Hearing(s):	9/4, 9/18, 10/2
Staff Recommendation:	Amend conditions as determined by ZBA.
ZBA Action:	Voted on September 18, 2019 to continue the application to October 2, 2019.
Current Status:	Staff anticipates the applicant to request to continue the application to October 16, 2019.

<b>15 Bartlett Street (ZBA 2019-73)</b>	
Applicant:	Sally & Margaret Klessens
Property Owner:	Margaret Klessens
Agent:	N/A
Legal Notice:	Applicants, Sally & Margaret Klessens, and Owner, Margaret Klessens, seek a Special Permit under §9.9.b of the SZO to create a handicapped parking space on a residential lot. RA zone. Ward 5.
Date(s) of Hearing(s):	9/18, 10/2
Staff Recommendation:	No recommendation
ZBA Action:	Voted on September 18, 2019 to continue the application to October 2, 2019.
Current Status:	The Applicant has submitted a written request to continue the case to October 16, 2019.

<b>2 Adrian Street (ZBA 2019-62)</b>	
Applicant:	2 Adrian Holdings, LLC, with Mahmood Firouzbakht, Manager
Property Owner:	2 Adrian Holdings, LLC, with Mahmood Firouzbakht, Manager
Agent:	Richard G. DiGirolamo, Esq.
Legal Notice:	Applicant & Owner, 2 Adrian Holdings, LLC, with Mahmood Firouzbakht, Manager, seeks special permits under §4.4.1 of the SZO to alter a non-conforming property by adding an addition with a dormer within the right side yard setback. Parking relief under Article 9 of the SZO. RB zone. Ward 2.
Date(s) of Hearing(s):	9/18, 10/2
Staff Recommendation:	Conditional approval
ZBA Action:	Voted on September 18, 2019 to continue the application to October 2, 2019.
Current Status:	Staff anticipates the applicant to request to continue the application to October 16, 2019.



<b>40 Columbus Avenue (ZBA 2018-147)</b>	
Applicant:	Vincent Spadea
Property Owner:	Vincent Spadea
Agent:	Sean T. O'Donovan
Legal Notice:	Applicant and Owner, Vincent Spadea, seeks a special permit under SZO §7.11.2.b to convert an existing two-family dwelling into three-dwelling units, special permits under SZO §4.4.1 to alter the nonconforming lot area per dwelling unit requirement of the property and the nonconforming floor area ratio (FAR) requirement, and a special permit under SZO §9.13 for parking relief. RA Zone. Ward 3.
Date(s) of Hearing(s):	1/9, 1/23, 2/6, 2/20, 3/6, 3/20, 4/3, 4/17, 5/1, 5/15, 6/5, 6/19, 7/17, 8/7, 8/21, 10/2
Staff Recommendation:	None at this time.
ZBA Action:	Voted on August 21, 2019 to continue the application to October 2, 2019.
Current Status:	The Applicant has submitted a written request to continue the case to November 6, 2019.

<b>18 Glendale Avenue (ZBA 2019-86)</b>	
Applicant:	Ji Shi
Property Owner:	Ji Shi & Yan Zhao
Agent:	N/A
Legal Notice:	Applicant, Ji Shi, and Owners, Ji Shi & Yan Zhao, seek special permits under §4.4.1 of the SZO to alter a non-conforming property including adding a dormette within the left side yard setback, extending the left elevation roofline to cover the third floor rear porch, and to construct a right elevation dormer within the right side yard setback. RB zone. Ward 7.
Date(s) of Hearing(s):	9/4, 9/18 (re-advertisement), 10/2
Staff Recommendation:	Conditional approval.
ZBA Action:	Voted on September 18, 2019 to continue the application to October 2, 2019.
Current Status:	Staff anticipates the applicant to request to continue the application to November 6, 2019.

<b>187 Central Street (ZBA 2019-29):</b>	
Applicant:	Nora, LLC
Property Owner:	Nora, LLC
Agent:	Richard G. DiGirolamo, Esq.
Legal Notice:	Applicant and Owner, Nora, LLC, seeks a Special Permit with Site Plan Review (SPSR) under §7.3.3 of the SZO to increase the number of dwelling units from one to four where one of these units will be affordable. Parking relive under Article 9 of the SZO. RA zone. Ward 4.
Date(s) of Hearing(s):	6/5, 6/19, 7/17, 8/7, 8/21, 9/4, 9/18, 10/2
Staff Recommendation:	None at this time.
ZBA Action:	Voted on September 18, 2019 to continue the application to October 2, 2019.
Current Status:	Staff anticipates the applicant to request to continue the application to November 6, 2019.



**Previously Opened Cases to be Heard**

<b><u>171 Cedar Street (ZBA 2018-191)</u></b>	
Applicant:	171 Cedar Street, LLC
Property Owner:	171 Cedar Street, LLC
Agent:	Sean T. O'Donovan
Legal Notice:	Applicant and Owner, 171 Cedar Street, LLC, seeks special permits under §4.4.1 of the SZO for alterations to a non-conforming property including increasing the gross floor area of more than 25%. Number of units to increase from two to five. Special Permit with Site Plan Review (SPSR). Parking relief under Article 9 of the SZO. BB zone. Ward 5.
Date(s) of Hearing(s):	2/20, 3/6, 3/20, 4/3, 4/17, 5/1, 5/15, 6/5, 6/19, 7/17, 8/7, 8/21, 9/4, 9/18, 10/2
Staff Recommendation:	None at this time.
ZBA Action:	Voted on September 18, 2019 to continue the application to October 2, 2019.
Current Status:	Applicant has submitted a written request to withdraw the application without prejudice.

<b><u>27 Tufts Street (ZBA 2018-195):</u></b>	
Applicant:	Pulin and Katai Wang
Property Owner:	Pulin and Katai Wang
Agent:	N/A
Legal Notice:	Applicants and Owners, Pulin and Katai Wang, seek a special permit under SZO §4.4.1 and §7.11.1.c to alter a nonconforming structure by constructing a large addition to the existing structure that will add three dwelling units making it a five-unit dwelling. Parking relief under Article 9 is also required. RC Zone. Ward 1.
Date(s) of Hearing(s):	6/19, 7/17, 8/7, 8/21, 9/4, 10/2
Staff Recommendation:	Conditional approval
ZBA Action:	Voted on September 4, 2019 to continue the application to October 2, 2019.
Current Status:	Will be heard

<b><u>11R Dane (ZBA 2019-77)</u></b>	
Applicant:	7 Dane Street
Property Owner:	11 R Dane Street
Agent:	Richard G. DiGirolamo, Esq.
Legal Notice:	Applicant, 7 Dane Street, Somerville, MA 02143, and Owner, 11 R Dane Street, Somerville, MA 02143), seek special permits under §4.4.1 to substantially alter a non-conforming property including reducing the non-conforming landscaping area, increasing the GFA by more than 25%, further decrease the non-conforming pervious area, create an upward extension of the non-conforming left, right, and rear yard setbacks. Parking relief under Article 9 including shared drive. RC zone. Ward 2.
Date(s) of Hearing(s):	9/18, 10/2
Staff Recommendation:	None at this time.
ZBA Action:	Voted on September 18, 2019 to continue the application to October 2, 2019.
Current Status:	Will be heard



<b>7 Dane Street (ZBA 2019-78)</b>	
Applicant:	7 Dane Street
Property Owner:	7 Dane Street
Agent:	Richard G. DiGirolamo, Esq.
Legal Notice:	Applicant and Owner, 7 Dane Street, Somerville, MA 02143, seek special permits under §4.4.1 to substantially alter a non-conforming property including increasing the GFA by more than 25%, creating an upward extension of the non-conforming right, left, and rear yard setbacks. Increase the number of units from three to four. Parking relief under Article 9, including shared access drive. RC zone. Ward 2.
Date(s) of Hearing(s):	9/18, 10/2
Staff Recommendation:	None at this time.
ZBA Action:	Voted on September 18, 2019 to continue the application to October 2, 2019.
Current Status:	Will be heard

### **New Cases to be Opened and Requesting a Continuance**

<b>57 Trull Street (ZBA 2019-85)</b>	
Applicant:	Timothy Buntel and Cynthia Graber
Property Owner:	Timothy Buntel and Cynthia Graber
Agent:	N/A
Legal Notice:	Applicants and Owners, Timothy Buntel and Cynthia Graber, seek a special permit under SZO §4.4.1 to alter a nonconforming structure by constructing a single story addition that is greater than 25% of the existing structures gross floor area. RB Zone. Ward 5.
Date(s) of Hearing(s):	10/2
Staff Recommendation:	None at this time.
ZBA Action:	--
Current Status:	Staff anticipates the applicant to request to continue the application to October 16, 2019.

<b>12 Flint Avenue (ZBA 2019-60) (re-advertisement)</b>	
Applicant:	Derek Snare
Property Owner:	Fiorillo Melares
Agent:	N/A
Legal Notice:	Applicant, Derick Snare, and Owner, Fiorillo Melades, seek special permits under §4.4.1 of the SZO to alter a non-conforming property. Special permits including but not limited to the upward and linear extension of a non-conforming left side yard setback, constructing rear decks within the right side yard setback. RB zone. Ward 1.
Date(s) of Hearing(s):	9/18, 10/2 (re-advertisement)
Staff Recommendation:	None at this time.
ZBA Action:	Voted on September 18, 2019 to continue the application to October 2, 2019.
Current Status:	Staff anticipates the applicant to request to continue the application to October 16, 2019.



<b>85 Munroe Street (ZBA 2019-45)</b>	
Applicant:	John Murray
Property Owner:	Raymond & Mary Snow
Agent:	Richard G. DiGirolamo, Esq.
Legal Notice:	Applicant, John Murray, and Owners, Raymond & Mary Snow, seek special permits to alter a non-conforming three-family structure. Special permits including but not limited to the upward extension of the non-conforming left side yard setback and the construction of a front dormer within the front and right side yard setbacks. RA zone. Ward 2.
Date(s) of Hearing(s):	10/2
Staff Recommendation:	None at this time
ZBA Action:	--
Current Status:	Staff anticipates the applicant to request to continue the application to October 16, 2019.

### **New Cases to be Opened and Heard**

<b>385 Broadway (ZBA 2019-102)</b>	
Applicant:	Deep Cuts Deli LLC
Property Owner:	Somerville Square LLC
Agent:	N/A
Legal Notice:	Applicant, Deep Cuts Deli LLC, and Owner, Somerville Square LLC, seek a special permit with design review under SZO §7.11.10.1.1.a to establish a restaurant and under §7.11.10.1.2.a to conduct a portion of the restaurant operations outdoors. A special permit for parking relief under §9.13 is also being sought. RC Zone. Ward 4.
Date(s) of Hearing(s):	10/2
Staff Recommendation:	Conditional approval
ZBA Action:	--
Current Status:	Will be heard

<b>219-221 Elm St, a/k/a 387-391 Summer St and 217 Elm St, a/k/a 376 Summer St (ZBA 2019-99)</b>	
Applicant:	Painted Burro, Inc.
Property Owner:	Laverty Family Trust
Agent:	Adam Dash, Esq.
Legal Notice:	Applicant, Painted Burro, Inc., and Owner, Laverty Family Trust, seeks a Variance under SZO §5.5 and Article 9 for parking relief to expand the number of seats in the restaurant from 110 to 142. CBD Zone. Ward 6..
Date(s) of Hearing(s):	10/2
Staff Recommendation:	Conditional approval
ZBA Action:	--
Current Status:	Will be heard



<b>350 Mystic Avenue (ZBA 2019-103)</b>	
Applicant:	Craig Corporation
Property Owner:	Craig Corporation
Agent:	Richard G. DiGirolamo, Esq.
Legal Notice:	Applicant and Owner, Craig Corporation, proposed a mixed-use residential building and seeks a Special Permit with Design Review (SPD), variances under §5.5, §9.5, & §4.4.1 for rear yard setback, special permit for parking under Article 9 of the SZO, and a Special Permit with Site Plan Review (SPSR) to increase the number of dwelling units under §7.11.1c. BB zone. Ward 1
Date(s) of Hearing(s):	10/2
Staff Recommendation:	V: Unable to recommend SP and SPSR: Conditional approval
ZBA Action:	--
Current Status:	Will be heard

<b>346 Somerville Avenue (ZBA 2019-19) (re-advertisement)</b>	
Applicant:	346 Somerville Ave., LLC
Property Owner:	Palmac Realty Corp
Agent:	Richard G. DiGirolamo, Esq.
Legal Notice:	Applicant, 346 Somerville Ave., LLC, and Owner, Palmac Realty Corp propose a mixed-use structure with 94 residential units, ground floor commercial. A publicly-accessible park is proposed at the rear of the lot. The NB portion of the property requires the following relief from the ZBA: Special Permit with Site Plan Review (SPSR), variances including but not limited to FAR, height, lot area per dwelling unit, number of stories, and any and all other dimensionals that might be needed. Special Permit for parking relief under Article 9. The CCD-55 portion of the project needs relief from the ZBA for the following: variances including but not limited to landscaping, FAR, height, ground coverage, lot area per dwelling unit, number of stories, and all other dimensionals that might be needed. All special permitting in the CCD-55 zone is the purview of the Planning Board. CCD-55 & NB zones. Ward 2.
Date(s) of Hearing(s):	3/6, 3/20, 4/3, 4/17, 5/1, 5/15, 6/5, 6/19, 7/17, 8/7, 8/21, 9/4, 9/18, 10/2 (re-advertisement)
Staff Recommendation:	V: Unable to recommend SP and SPSR: Conditional approval
ZBA Action:	Voted on September 18, 2019 to continue the application to October 2, 2019.
Current Status:	Will be heard

### **Other Business:**

*Plans and reports are available at the City of Somerville website at the following link:*  
<https://www.somervillema.gov/departments/ospcd/planning-and-zoning/reports-and-decisions>



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